

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

**STANDING HEARING OFFICER DIRECTIVE**

**DOCKET NO. [2017-292-WS](#) ORDER NO. 2018-113-H**

**AUGUST 16, 2018**

David Butler  
Standing Hearing Officer

**DOCKET DESCRIPTION:**

**Application of Carolina Water Service, Inc. for Approval of an Increase in Its Rates for Water and Sewer Services**

**MATTER UNDER CONSIDERATION:**

**Motion for Leave to File Documents Under Seal**

**STANDING HEARING OFFICER ACTION:**

The South Carolina Office of Regulatory Staff (“ORS”) has filed a Motion for Leave to File Documents Under Seal in connection with certain exhibits included with the testimony of ORS witness Dawn M. Hipp submitted in the rehearing of this case. The documents in question as stated by the Motion were provided by Carolina Water Service (“CWS”) in response to discovery and are invoices for legal services marked as “Confidential.” Accordingly, ORS filed its Motion seeking permission to file the materials designated as “Confidential” under seal, based on Rule 41.1 (b) of the South Carolina Rules of Civil Procedure (SCRCP). Further, South Carolina Code Ann. Section 58-4-55 (A) addresses confidential documents and states in part: “if the [C]ommission determines that it is necessary to view such documents or information, it shall order [ORS] to file the documents or information with the [C]ommission under seal.” The records at issue are legal invoices. The invoices are from law firms and attorneys working on the various legal actions in which CWS is involved, and the invoices reflect details services rendered including date of work, lawyer working on the matter, description of work, hours of work, hourly rates, expenses charged, payments, and other matters. ORS has asked CWS to determine whether the documents remain confidential. According to the Motion, for these reasons, ORS requests that the Commission grant this Motion and permit ORS to file the legal invoices and spreadsheets under seal.

**The Motion for Leave to File Documents Under Seal is granted. ORS has stated good cause for the Motion, and granting the Motion serves to preserve Company determined confidentiality until such time as either CWS determines whether the documents should remain confidential as the proceeding goes forward, or until such time as the Commission declares the documents not to be confidential after examination.**

**This Directive does not make a determination as to whether the documents filed under seal are not or should not be treated as confidential for purposes of withholding the documents from public disclosure. Such a determination may be considered at a later time upon Motion of ORS or another party.**

**This concludes the Hearing Officer's Directive.**